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OFFICE OF PETITIONS

In re Application of	:	
Mihai Adrian Tiberiu SANDULEANU	:	
Application No. 10/523,344	:	ON PETITION
Filed: February 1, 2005	:	
Attorney Docket No. NL02 0698 US	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed February 9, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action of August 14, 2006. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2)), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(II)(A)(2). No extension of time pursuant to the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the date of abandonment of this application is February 15, 2007.


The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$810, and the submission required by 37 CFR 1.114; (2) the petition fee of \$1540; and (3) the required statement of unintentional delay.

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application. If the person signing the petition desires to receive future

correspondence regarding this application, the appropriate power of attorney document must be submitted

Telephone inquiries concerning this decision should be directed to Diane Goodwyn at (571) 272-6735.

This application is being referred to Technology Center 2816 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.



Thurman Page
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First-Named Inventor: SANDULEANU
Application No.: 10/523,344 Conf.: 5754
Date Filed: 02-01-2005

Docket No.: NL02 0698 US
Art Unit: 2816
Examiner: HERNANDEZ, WILLIAM

Title: PHASE DETECTOR WITH SELECTION OF DIFFERENCES BETWEEN INPUT SIGNALS

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a USPTO notice or action dated 07-25-2007.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer w/disclaimer fee (IF filed before 6/8/1995); and (4) Statement that the entire delay was unintentional.

1. PETITION FEE UNDER 37 CFR §1.17(m):
☐ Please charge the petition fee to Deposit Account 50-4019.
2. REPLY AND/OR FEE:
☒ The reply and/or fee to the above-noted Office Action in the form of RCE.
☐ has been filed previously on _____.
☒ is enclosed herewith.
☐ The issue fee
☐ has been paid previously on _____.
☐ is enclosed herewith.
3. TERMINAL DISCLAIMER WITH DISCLAIMER FEE:
☐ Since this application was filed after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer and the required disclaimer fee disclaiming the required period of time is enclosed herewith.

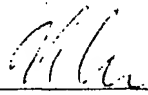
09/29/2008 GARIAS 00000001 504019 10523344
01 FC:1453 1540.00 DA
02 FC:1801 810.00 DA

4. STATEMENT:

- ☒ The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Date: 1/25/08

Respectfully submitted,

By 
Michael J. Ure, Reg. No. 33,089

Enclosures:

- ☐ Fee Payment
☒ Reply
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay
☐ Other: _____

CERTIFICATE OF MAILING or TRANSMISSION

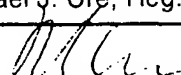
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," or being facsimile transmitted to the USPTO at (571) 273-8300, on the date indicated below.

(Date) _____ (Signature) _____
(Name) Michael J. Ure

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/523,344
	Filing Date	02-01-2005
	First Named Inventor	SANDULEANU
	Group Art Unit	2816
	Examiner Name	HERNANDEZ, WILLIAM
	Attorney Docket Number	NL02 0698 US

This is a Request for Continued Examination (RCE) under 37 CFR §1.114 of the above-identified application. RCE practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed:
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____ (may not be a brief)
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(i))
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.
- a. ☐ The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 50-4019.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print Type)	Michael J. Ure, Reg. No. 33.089		
Signature		Date	1/25/05

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. or facsimile transmitted to the U.S. Patent and Trademark Office tel# : (571) 273-8300 on the date below:			
Name (Print Type)	Michael J. Ure		
Signature		Date	

Attorney Docket #

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Application Number:	10/523,344
Filing or 371 (c) Date:	02-01-2005
Application Type:	Utility
Examiner Name:	HERNANDEZ, WILLIAM
Group Art Unit:	2816
Confirmation Number:	5754
Attorney Docket Number:	NL02 0698 US
Class / Subclass:	327/003
First Named Inventor:	Mihai Sanduleanu , Eindhoven, (NL)

Title of Invention: Phase detector with selection of differences between input signals

Commissioner for Patents
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Alexandria, VA 22313-1450

Charge Authorization and Extension of Time Statement

The Commissioner is hereby requested and authorized pursuant to 37 CFR §1.136(a)(3), to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 50-4019.

Respectfully submitted,

/John Rehberg/
John Rehberg, Reg. 29,207

Dated: 1/4/08